IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 2111 of 2005

Between:

Sk. Karimulla, S/o. Sk. Jani, Driver,
R/o. C/o. D. Rami Reddy, D.No.11-4-148, Rajagari Thota, Guntur.

..... PETITIONER

AND

1 The Managing Director, APSRTC, RTC X Roads, Hyderabad.
2 The Regional Manager, APSRTC, Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of Mandamus or any other appropriate Writ order or direction declaring the action of the 2nd respondent authority in refusing to allow me to take the screening test as illegal and arbitrary and further direct the 2nd respondent authority to consider the pay order bearing No. 26897, dt. 15.12.2004 for an amount of Rs.100/- drawn on Bank of India, Guntur furnished by me and permit the petitioner to appear for screening test being held presently on day to day basis till 12.02.2005.

Counsel for the Petitioner: MR.NARESH BYRAPANENI

Counsel for the Respondents: MR.R.MANMADHA REDDY (SC FOR APSRTC)

The Court at the admission stage made the following:

ORDER:

Challenging the action of the respondents in not allowing the petitioner to appear for the screening test on the ground that he produced a pay order dated 15.12.2004 for a sum of Rs.100/- instead of a demand draft, the writ petition is filed.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

No doubt as per the notification the petitioner has to submit a demand draft for a sum of Rs.100/- to appear for the screening test. However, due to inadvertence the petitioner has produced the pay order for a sum of Rs.100/-, but not the demand draft as required by the respondent-Corporation. Therefore, on that ground it cannot be said that the respondents are justified in precluding the petitioner from appearing for the screening test.

In the circumstances, the writ petition is disposed of with a direction to the respondents to permit the petitioner to appear for the screening test. This direction shall not be treated as a binding precedent to be followed in future cases. No costs.

09.02.2005

VGB

To

1 The Managing Director, APSRTC, RTC X Roads, Hyderabad.
2 The Regional Manager, APSRTC, Guntur, Guntur District.

3 2CD copies.